

ASSEMBLY BILL

No. 21

Introduced by Assembly Member Levine

December 6, 2004

An act to add Section 4069 to the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 21, as introduced, Levine. Pharmacists: contraceptive devices.

Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacists by the California State Board of Pharmacy. Under existing law, a violation of those provisions is a crime.

This bill would prohibit a pharmacist from declining to dispense a contraceptive or emergency contraceptive.

Because the bill would specify an additional requirement under the Pharmacy Law, a violation of which would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4069 is added to the Business and
- 2 Professions Code, to read:

1 4069. Notwithstanding any other provision of law, a
2 pharmacist shall not decline to dispense a contraceptive or an
3 emergency contraceptive pursuant to a prescription.

4 SEC. 2. No reimbursement is required by this act pursuant to
5 Section 6 of Article XIII B of the California Constitution because
6 the only costs that may be incurred by a local agency or school
7 district will be incurred because this act creates a new crime or
8 infraction, eliminates a crime or infraction, or changes the
9 penalty for a crime or infraction, within the meaning of Section
10 17556 of the Government Code, or changes the definition of a
11 crime within the meaning of Section 6 of Article XIII B of the
12 California Constitution.